

Final Program Narrative

This report details Iowa Legal Aid's implementation of the Low-Income Taxpayer Clinic (LITC) in 2007.

Iowa Legal Aid has completed its seventh year with the LITC program. Iowa Legal Aid's LITC continues to strive to improve services and reach additional taxpayers. The guiding principles of the LITC are to provide:

- ★ High quality assistance and education to taxpayers for whom English is a second language (ESL), focusing on tax issues that are relevant to this group including the earned income tax credit, ITINs, avoiding tax controversies and refund anticipation loans; and,
- ★ Legal representation and referral for taxpayers who are in or have potential controversies with the IRS.

Assistance provided from January 1, 2007 through December 31, 2007, at a glance is set out below:

- Cases and Consultations: Iowa Legal Aid provided legal assistance or referral in 264 cases and consultations.
- Continuing Legal Education (CLE) events to taxpayers who are ESL or have limited English proficiency (LEP): Forty-nine CLEs were presented to 595 taxpayers.
- Contact and education of community partners who serve the LITC target population: Eleven presentations were given to 107 service providers of ESL populations. This included presentations to the Des Moines Area Community College deans, and New Iowan Center staff.

The following is a detailed accounting of the accomplishments of Iowa Legal Aid's LITC:

ESL Component

- **Goal - A total of 65 educational outreaches will be provided in tax year 2007.**

A total of 49 Community Legal Education events were held and targeted specifically to ESL taxpayers. The LITC did not meet the numerical goal of conducting 65 educational outreaches. As explained in Iowa Legal Aid's letter of December 17, 2007, requesting a transfer of funds to the tax controversy project, Iowa Legal Aid had experienced some difficulty in providing outreach to the ESL community following immigration raids in late 2006 and negative political ads airing on television and radio involving immigrants. The result was that there were some presentations offered by the LITC where no one attended or attendance was very small.

Despite these obstacles, Iowa Legal Aid sought to increase knowledge and familiarity with the program through informal contacts. Iowa Legal Aid did a number of informal outreaches throughout the last quarter of the year to immigrant owned businesses, businesses employing immigrants, immigrant patrons, and at Mexican Consulate events. Direct contact was made with business owners, managers, and workers around the state.

- **Goal - Iowa Legal Aid will conduct one training to staff and/or volunteers on issues related to the ESL population with the help of the local Taxpayer Advocate and private attorneys.**

Iowa Legal Aid provided tax training for staff at its Spring 2007 Work Group Day, Tax Webinar, Tackling Tax Controversies and New Advocate Training. Each one of these trainings included information about tax issues relevant to ESL populations. New Advocate Training included a segment on cross-cultural communication.

- **Goal - Reach 700 ESL taxpayers through Community Legal Education.**

A total of 668 ESL taxpayers received substantive tax information in 2007:

- A total of 595 taxpayers were reached through formal community legal education;
- 56 ESL taxpayers received information through direct contact at community fairs and other events; and

- 17 ESL taxpayers completed applications for help with tax questions.

These numbers do not include taxpayer cases that were accepted for formal representation. See Appendix 1.

- **Goal - Distribute 800 pieces of community legal education materials.**

Iowa Legal Aid provides educational materials to participants at each of its outreaches. See Appendix 2. In addition, Iowa Legal Aid distributes tax related articles to approximately 8,000 households per quarter through its newsletter, the *Equal Justice Journal*. (See Appendix 3 excerpt from 3rd and 4th Quarter *Equal Justice Journal*.)

- **Goal - Prepare two Equal Justice Journal articles on issues related to the ESL population.**

This goal was exceeded. Three articles “Avoiding the Slings and Arrows of Tax Time,” “New Tax Credit for Telephone Customers,” and “Big Refunds a Bad Thing?” were published in the *Equal Justice Journal*. In addition, an article on “State Tax Law Changes” that mentioned the Federal EITC was published.

- **Goal - Regularly update Iowa Legal Aid Website materials relating to the LITC.**

Iowa Legal Aid has a website at www.iowalegalaid.org. Tax information is located in the “Legal Information and Other Resources for Iowans” section under the subcategory of “Work - Employment Discrimination, Taxes and Other Work-related Problems.”

A total of 21 resources on tax issues appear on Iowa Legal Aid’s website. Six of the most frequently viewed articles have been translated into Spanish and are also posted on the website. There are also six links to news releases and on-line tax tools of different service providers including the IRS. The website helps Iowa Legal Aid provide agencies, attorneys and clients with up-to-date information as it becomes available.

- **Goal - Articles and materials will be translated into Spanish and other languages as needed.**

Equal Justice Journal articles translated into Spanish and added to the website in 2007 include “Avoiding Slings and Arrows at Tax Time,” “Big Refunds A Bad Thing?,” and “New Tax Credit for Phone Customers,” as well as an updated version of the “Individual Taxpayer Identification Number (ITIN)” article. See Appendix 4 for sample of articles.

Tax Controversy Component

- **Goal - Represent 90 low-income clients involved in tax controversies or refer to volunteer attorneys.**

A total of 74 new cases for 86 taxpayers were handled by the clinic in 2007. These cases are broken down as follows:

- 31 cases referred for 37 non-ESL taxpayers
- 35 cases handled in-house for 39 non-ESL taxpayers
- 1 case referred for 2 ESL taxpayers
- 7 cases handled in house for 8 ESL taxpayers

Representation continued by Iowa Legal Aid staff or volunteer attorneys on 73 cases that were opened in prior years, helping an additional 81 taxpayer. These ongoing cases are not captured in the above numbers. When these older pending cases are included in the totals, Iowa Legal Aid well exceeded the goal of representing 90 low-income clients.

- **Goal - Iowa Legal Aid will continue to recruit additional pro bono attorneys to help with the anticipated increase in cases that will result from partnering with the Tax Court.**

Iowa Legal Aid continues to request new members of the Iowa Bar to join a volunteer lawyers project. Each year a letter is sent out to newly admitted members of the Iowa Bar inviting them to join Iowa Legal Aid’s Volunteer Lawyers Project. Two attorneys who signed up in 2007 to participate in Iowa Legal Aid’s Volunteer Lawyers Project, indicated that they would

accept referrals of clients with tax controversy problems. The total number of volunteer attorneys/accountants available to accept tax cases is now 203.

- **Goal - Iowa Legal Aid will conduct a minimum of 10 outreaches to agencies and potential taxpayers to provide publicity and information about addressing tax controversies.**

Iowa Legal Aid exceeded this goal. Six presentations about Iowa Legal Aid's LITC were directed to agencies, employers, and groups of non ESL taxpayers. (See Appendix 5). In addition, brochures and information about the LITC were distributed during the 49 ESL tax outreaches that were conducted. Iowa Legal Aid's LITC brochures that are distributed throughout Iowa contain information about the tax controversy project.

- **Goal - Iowa Legal Aid will continue to add materials to the advocate website to be accessed by staff specifically focused on tax controversy representation.**

Materials available on Iowa Legal Aid's advocate and volunteer website during 2007 include:

Best Practices Representing/Preparing Taxes for Immigrants
Circular 230
Nuts and Bolts of Tax Court Practice
Tax Law Guide for Legal Aid and Volunteer Attorneys
Tax Court Memorandum-T.C. Memo. 2006-60
US Tax Refund Suit Draft Pleadings
Tackling Tax Controversies (Fall 2007)

Additional materials were prepared during 2007 for the advocate website, but they were not uploaded during this reporting period.

1. **Implementation of the LITC Program. Describe the strategy for monitoring and evaluating program results, including how success is defined and measured. In addition, describe the overall approach taken to implement the LITC Program and steps taken to ensure compliance with its rules and administrative guidelines. Include a discussion of the clinic's on-site quality review procedures. (For example, explain internal procedures used to monitor and evaluate clinic activities to ensure the program was administered in accordance with grant agreement guidelines.)**

The mission of the IRS is to provide America's taxpayers with top quality service by helping them understand and meet their tax responsibilities and by applying the tax law with integrity and fairness to all. Iowa Legal Aid measures the success of the Iowa LITC with this overall goal in mind. Evaluation of both components of the LITC is an ongoing process. The Clinic Director regularly assesses the status of the clinic and the impact of the LITC in Iowa.

Iowa Legal Aid defines and evaluates the success of the project by determining whether the LITC is meeting both its quantitative and qualitative goals. Quantitative goals are set in Iowa Legal Aid's Program Plan submitted to the LITC office in the application package and supplemented with the signed contract. Iowa Legal Aid has set a number of numerical goals under both the Education and Outreach component and the Referral and Representation component of the LITC program. Success is measured in terms in meeting and exceeding these numerical goals.

Qualitative success is measured in terms of quality of service provided to our clients. Positive outcomes in terms of financial benefit for a client are achievable in some cases but in many cases educating the client plays a larger role in representation. Sometimes clients are lacking information necessary to understand their obligations under the tax laws or have been misinformed by poorly educated or dishonest preparers. The advocates explain these obligations to help ensure the client will be better able to avoid pitfalls in the future.

Success of the ESL Community Legal Education program is also measured qualitatively by assessing whether seminars are informative and meet the needs of Iowa Legal Aid's target audiences. Iowa Legal Aid continues to update and add materials to its LITC community legal education presentations to address the information needs of both documented and undocumented ESL taxpayers in Iowa.

With nearly 30 years experience in providing low-income Iowans with civil legal representation, Iowa Legal Aid has in place a comprehensive system to monitor and evaluate progress on casework and community legal education activities. Over the past seven years, Iowa Legal Aid has added special components to its case management database, application procedures and community legal education activities to address the specific requirements of the LITC program.

When a client contacts Iowa Legal Aid, the client's information is input into the computer database by an intake worker. This database stores client demographics and eligibility information, case notes, deadlines, case documents and time records. In addition to Iowa Legal Aid's regular intake questions, most clients who contact Iowa Legal Aid for assistance with non-tax cases are asked a series of questions to help identify whether the client has an unresolved tax controversy or needs information about his or her tax rights and responsibilities. See Appendix 6.

If it appears the client has a tax controversy or tax question, an application for assistance is processed. If the client's situation meets eligibility criteria for the LITC grant, the case is designated as such and all time expended on the case is tracked for billing purposes. Time is entered into the case management database as tasks are undertaken to ensure accurate tracking.

Once the application is completed, it is reviewed by an intake advocate. This individual gathers information about the case and presents the case at a weekly staff meeting. At the staff meeting, case disposition is discussed. The managing attorney and staff of the regional office determine whether the case should be resolved with counsel and advice or further service.

Iowa Legal Aid has designated a staff attorney or managing attorney in each of its ten regional offices as the tax advocate. This person receives regular updates on the LITC program, attends as many in-house trainings as possible, and acts as a conduit for information to the other

staff in the regional office. Advocates with more involvement in tax representation receive outside tax training as needed to supplement training offered in-house.

If it is determined that a case needs further service, the case is either handled in-house or referred to a member of Iowa Legal Aid's pro bono panel or the Polk County Bar Association Volunteer Lawyers Project. The decision of whether to accept the case or refer the case is based upon the level of the tax advocate's knowledge and expertise and the availability of a volunteer in that area.

When a decision is made to refer a case, the case notes and documents are forwarded to Iowa Legal Aid's referral coordinator or the coordinator for the Polk County Bar Association Volunteer Lawyers Project. The referral coordinator looks for a volunteer attorney or accountant to handle the case. Once a case is placed with a volunteer, the referral coordinator requests periodic updates from the volunteer until the case is closed. If there is a client complaint, the coordinator investigates the complaint and may request the Clinic Director review the matter to determine whether something more can be done to assist the client. The Clinic Director also monitors open referrals for timely progress towards completion of the case and will periodically request updates. A closing form is used to help collect data from volunteer attorneys and accountants.

Iowa Legal Aid's Clinic Director is involved in the day-to-day functioning of the clinic. Tax advocates throughout the program are in contact with her by telephone and by e-mail. The Clinic Director responds to questions about financial eligibility and controversy amounts, case strategies and requests for assistance with research. Periodic reviews of casework and case outcomes, time expended on LITC activities, and outreaches completed are made by the Clinic Director.

Daily work and overall performance of the tax advocates are monitored by the managing attorneys of the offices where the tax advocates are located. The performance of periodic case reviews assists in assessing the quality of representation. Staff meetings and contact with the Clinic Director help guide direction and flow of casework. Surveys are sent out at the conclusion of cases. While few clients return surveys, the feedback received indicates that client satisfaction is generally very high. Iowa Legal Aid did do a mid-case survey in September 2007. Sixteen cases being handled in-house were selected to receive a survey. Eight individuals were to be surveyed by telephone and eight were to receive written surveys. Two individuals were unreachable for the telephone survey and six individuals did not return the written survey. Four rated the quality of the LITC service as excellent and three good. One individual said the attorney “was sweet” in response to the question regarding quality of service.

The Clinic Director spearheads efforts related to the community legal education provided to taxpayers for whom English is a second language. Outreach materials for use by tax advocates at community education events are developed and updated regularly. Outreach and community legal education events are tracked using the program’s database. The advocates enter information about the location of the outreach or community legal education activity, time expended at the event, and the number of people in attendance. If the number is an estimate, the basis for the estimate is provided. Iowa Legal Aid also started using a sign-in sheet in 2007 where participants list their country of origin, language, how they heard about the presentation and any other tax topics they would like to have information about. Even without requesting a name, not all participants are willing to sign-in. Travel is logged on an expense report that is submitted monthly to Iowa Legal Aid’s administrative office.

2. Information provided to ESL Taxpayers. Identify how topics were determined and the type of analysis that was performed to determine how to best meet the educational needs of the ESL community your organization serves.

Topics for educational materials are determined through a number of avenues. As a member of the Rural Tax Coalition, Iowa Legal Aid is kept aware of tax problems seen by Iowa VITA/AARP programs serving immigrant populations. Information about W-4s was added to the LITC materials to counteract bad information being disseminated by certain employers and workers in northeastern Iowa. Iowa Legal Aid published an article about selecting qualified tax preparers due to problems in northwest Iowa with a “notario.” Again in 2007, Iowa Legal Aid identified the need to provide taxpayers with information about record keeping for self-employed individuals. This was based upon the observations of staff and VITA volunteers that many taxpayers were not aware of the need to make quarterly tax payments or to keep detailed records of expenses.

Iowa Legal Aid also seeks input from people who speak English as a Second Language and community service providers. In the past, focus groups were utilized to evaluate materials. Iowa Legal Aid started distributing questionnaires at the close of Community Legal Education events in the last quarter of 2007 as another means of determining topics for future events and educational materials. This information will be compiled and evaluated to see what improvements can be made in the presentations and materials.

The largest ESL population served by Iowa Legal Aid’s LITC is comprised of Spanish-speakers. Within this group, there are varying degrees of educational background and literacy. Taking this into consideration, a mix of formal and informal outreach is utilized, along with written and oral materials to help reach the widest audience. Written materials are provided for

all audiences so they can take the materials back to their families and communities or ask teachers questions about the materials. Understanding is always greater when the presentations are given in the participant's primary language. Where feasible staff will give the presentation in that language or provide interpretation. In some classes where there are many language backgrounds, the presentations are given in English and supplemented with written materials. The participants can contact Iowa Legal Aid and staff can use Pacific Interpreters to address follow-up questions when necessary.

- **If written information was developed, identify the reviewer and his or her qualifications. Identify the languages other than English in which materials were prepared. If other languages were used, identify the person(s) who reviewed the information and their qualifications.**

The Clinic Director is responsible for overseeing the development of all community legal education materials used by the LITC. The LITC may ask IRS staff to review new materials. Materials are also reviewed by a Litigation Director and approved by the Executive Director prior to publication to ensure accuracy and readability. Outreach and education materials are translated into languages other than English for targeted Limited English Proficiency (LEP) populations.

Iowa Legal Aid has an LEP policy in place. This policy outlines procedures to be utilized when serving LEP clients. Translation of documents is provided by qualified staff and volunteers or paid services. Past training and experience are taken into consideration when assessing the qualifications of translators and interpreters. Kelly O'Brien, Legal Assistant with Iowa Legal Aid, helps arrange translation of all documents. Kelly is fluent in Spanish. The Clinic Director is also proficient in Spanish. A number of AmeriCorps members working in Iowa Legal Aid offices are fluent or native speakers of Spanish-- Julio Perez , Jennifer Burrell, Sandra Trevino, and Sarah Plowman. Iowa Legal Aid's Bosnian materials were translated by a past AmeriCorps

member who was from Bosnia. Whenever possible, Kelly arranges for peer review of translated documents to ensure accuracy and readability. The reviewers are often college graduate or native speakers of the targeted language.

- **Identify the methods used to convey information to ESL taxpayers.**

Information is imparted both orally and in writing. Where practicable the information is provided in the person's primary language or presented in English and interpreted. Some ESL classes are composed of several different languages. In these instances the information is conveyed orally in English, and where available other language materials are provided in writing. Attendees can call Iowa Legal Aid and staff will utilize language line to clarify points from a presentation.

Written materials take many forms including pamphlet/brochures, newspaper articles, and posters. Iowa Legal Aid is also planning to start utilizing multimedia resources as another means of conveying information.

- **Identify the topics discussed during educational presentations.**

Iowa Legal Aid provides two standard tax education presentations. The first presentation is directed toward ESL populations and covers information about the LTC and what types of assistance can be provided. Contact numbers for Iowa Legal Aid, the Internal Revenue Service and VITA are provided, as well as information on what are taxes, definition of a tax year, filing requirements, filling out W-4s, Earned Income Credit, Iowa's EIC, Individual Taxpayer Identification Numbers, refund anticipation loans and banking. Additional information was added in late 2006 to address the telephone excise tax refund. See Appendix 2.

The second presentation covers some of the same topics as above but adds, "What If You Can't

Afford to Pay Your Taxes” and “Disputing a Debt with the IRS.” This presentation is for both ESL and non-ESL audiences. See Appendix 5. As mentioned previously a new presentation entitled “Recordkeeping for Daycare Providers” was developed and staff were trained on this new material. In late fall, information printed in calendar format was published for distribution at presentations.

3. Training Provided Students, Volunteers, and LITC Employees. This includes all training provided by the clinic, academic institution, or outside source. Identify the efforts undertaken to ensure students, volunteers, and LITC employees were adequately prepared to assist taxpayers.

Iowa Legal Aid staff received training from a number of sources including:

- Spring Work Group Training, May 15, 2007,
- Tax Webinar, September 5, 2007,
- New Advocate Training, October 31, 2007,
- Tackling Tax Controversies, November 2, 2007,
- ABA LITC Tax Controversy CLE, December 10, 2007, and
- 2008 LITC Grantee Conference.

The first three training activities were in-house staff trainings. Tackling Tax Controversies was a live video training open to staff and volunteers. In addition to formal training, resources for staff and volunteer attorneys covering a broad array of basic tax topics were developed for Iowa Legal Aid’s advocate website, www.probono.net/iowa. A tax notebook is provided to each regional office which among other things includes a primer on tax issues authored by Mark Moreau. The Clinic Director/Program Coordinator and one tax advocate attended the ABA LITC Tax Controversy CLE and LITC conference.

- **Describe how training materials were developed and prepared. Identify who prepared the training materials, the qualifications of the preparer and how the accuracy of the training materials was verified.**

The Clinic Director has primary responsibility for training staff and volunteers. Beyond

information on basic tax law, materials are developed in response to changes in the tax laws and other issues that the clinic sees. As mentioned previously, newer attorneys with the program receive New Advocate Training where they are provided tax law basics and issue spotting tools.

The Clinic Director is the LITC's Qualified Tax Expert. The Clinic Director has thirteen years of legal experience and has been the Clinic Director for almost five years. The Clinic Director regularly attends the LITC conference, trainings co-presented by tax attorneys in the private bar and IRS personnel, and other outside trainings.

Training materials that are published are not only researched and reviewed by the Clinic Director but also by an Iowa Legal Aid Litigation Director. Volunteer attorneys and IRS employees are often invited to provide trainings in their area of expertise to staff and other volunteers. These materials are also reviewed by the Clinic Director and a Litigation Director with the program.

- **Describe how the training was provided and the qualifications of the instructor.**

Most trainers give a presentation of prepared materials. Participants are given the opportunity to ask questions and to provide additional input. Iowa Legal Aid utilizes in-person trainings, live webinar and video trainings.

The primary trainer is the Clinic's Qualified Tax Expert whose qualifications are outlined above. Volunteer attorneys are also invited to present on areas of their knowledge and expertise. In 2007, Jim Niblock of the BrownWinick law firm presented information on tax liens for our "Tackling Tax Controversies" program. Jim is a member of the Iowa Bar Association Tax Law Section. Patricia DeTimmerman of the Local Taxpayer Advocate's (LTA) office also presented on controversy work undertaken by the LTA. The additional training noted was provided by members of the ABA LITC panel and the LITC administration office.

4. Case Tracking. Describe the process used to control assignment of controversy cases to students, volunteers and LITC employees in the clinic.

Applications for assistance are taken both by telephone and walk-ins. As mentioned in section 1, cases are entered into a database. Once the application is completed, it is reviewed by an intake advocate. This individual gathers information about the case and presents the case at a weekly staff meeting. At the staff meeting, case disposition is discussed. The managing attorney and staff of the regional office determine whether the case should be resolved with counsel and advice or further service. If the case requires further service, the staff will decide whether the case should be handled in-house or should be referred.

- **Describe how you determined to whom the case would be assigned. Identify the skill levels of the students, volunteers, and LITC employees in the clinic.**

Initially, Iowa Legal Aid sent most of the tax controversy cases to volunteer attorneys for representation. As the tax controversy portion of Iowa Legal Aid's grant has grown, staff have developed a broader knowledge of tax controversies. Cases are assigned or referred at case staffing. Cases may be assigned to a tax advocate or other attorney in the office. Current caseloads and tax knowledge are considered in determining to whom a case will be assigned. Cases may also be assigned to tax advocates located in other offices or the Clinic Director when the level of experience or knowledge of another advocate would benefit the client. If the staff does not have adequate time or skill level for a case, the case may be referred to a private attorney who has expressed interest in tax work. For many volunteer attorneys taking tax cases, this is a regular area of practice. When private attorneys sign up as volunteers, they confirm that they are attorneys in good standing. Volunteers have an ethical obligation to only take cases that they are capable of handling.

Iowa Legal Aid rarely utilizes students in tax cases. If students are utilized it is mostly

for fact gathering and some legal research. All work done by students is subject to review by a licensed attorney.

- **Describe clinic procedures when the controversy issue exceeds student's, volunteer's, and LITC employee's resolving controversies.**

If a case exceeds an employee's level of training, that employee may be paired with an attorney with more experience in that area. Sometimes a tax advocate will seek guidance from more experienced attorneys outside the program. Oftentimes members of the Iowa State Bar Association Tax Law Section are willing to provide guidance. The case may also be referred to a private attorney at the onset if an employee doesn't have the expertise to handle the matter. If a volunteer or client of a volunteer feels that the volunteer does not have adequate knowledge the case may be reassigned to staff or a different volunteer. If a client has concerns regarding the representation provided, the LITC will review the case to determine if reassignment may be appropriate.

- **Describe the type of monitoring system used to insure that controversies were resolved expeditiously and appropriately.**

Throughout the year, periodic reviews are done of open and pending cases by the Clinic Director. In particular, if it appears a case has been open for an extended period of time, the case notes will be reviewed. Clients will sometimes fall out of contact and cases are held open to give the client an opportunity to recontact the LITC. If information appears to be missing, or if additional advice needs to be given, the Clinic Director will send inquiries or directions to attorneys and managing attorneys where appropriate. This is in addition to reviews undertaken by the regional office managing attorney and the thorough review of closed cases performed each year by Iowa Legal Aid to ensure that quality service has been provided.

Cases referred to volunteer attorneys are harder to monitor. The volunteers exercise

independent judgment and follow their own firms' protocols. Periodic updates from volunteer attorneys are requested to track progress on cases. If a response is not received from the volunteer attorney in a timely manner, the Clinic Director or placement coordinator may contact the client directly.

5. Publicity for the LITC. Describe the clinic's efforts to publicize the program and the number of individuals reached through marketing activities. Include examples of publicity such as flyers, brochures, posters, and newsletters distributed. Identify who developed the publicity materials. If publicity materials were translated into another language, identify who verified the accuracy of the information and their qualifications. Other publicity efforts should also be discussed, including radio and television ads, newspaper articles, workshops, outreach events, and visits to other organization.

Iowa Legal Aid utilizes a number of strategies to publicize the LITC.

- **Brochures**

Brochures are distributed directly to potential taxpayers at community events, through service providers, and by staff in Iowa Legal Aid's ten regional offices. See Appendix 7.

- **Flyers**

In the first half of the year, three flyers were distributed. The first flyer was sent to approximately 3,000 Marshalltown, Grinnell, and Tama school children. These communities have seen a large growth in Spanish speaking residents over the last ten years. The other two flyers provided tax education information, but were paid for with non-LITC funds because of the promotion of free tax preparation. Iowa Legal Aid also distributes flyers for upcoming community legal education events. See Appendix 8 for samples.

- **Newspaper articles**

From time to time Iowa Legal Aid or Iowa Legal Aid's partners send out news releases or submit articles to local newspapers. The attached is a letter that appeared in the Marshalltown

Times Republican that mentions the LITC's collaboration with the Marshalltown EITC campaign.

- **Posters**

The LITC hours are posted in Iowa Legal Aid waiting rooms and are distributed from time to time at local courthouses and other public locations.

- **Newsletters**

As mentioned in section 1, Iowa Legal Aid publishes a quarterly newsletter the *Equal Justice Journal*. Information about the Low-Income Taxpayer Clinic appears in every issue. (Circulation Approximately 8,000).

- **Letters**

During late January and early February of 2007, Iowa Legal Aid sent letters to area employers providing information about the Earned Income Tax Credit. Flyers about Iowa Legal Aid's LITC and local free tax preparation were enclosed in the mailing.

- **Website**

Iowa Legal Aid also has information about the LITC on its website. There were 2,655 hits on tax topics in 2007.

- **Radio**

In March 2007, Iowa Legal Aid was invited to participate on a Spanish radio program in Mt. Pleasant. A tax workshop/community legal education event was held afterwards at a local Mexican Restaurant.

Written publicity materials are prepared by the Clinic Director, AmeriCorps members and the Public Information Coordinator for Iowa Legal Aid. All written publicity is reviewed for accuracy and readability by the Clinic Director and the Executive Director and/or Litigation Director. The process for ensuring accurate translation is detailed in section 2.

6. Referral Mechanism for Controversies. Describe the type of referral system you used to refer taxpayers with a controversy. Indicate whether follow-up action was performed to determine the outcome of the controversy or determine if the referral person/organization was able to assist the taxpayer. Describe the procedures that you had in place to resolve controversies for taxpayers who did not receive appropriate assistance from the referral person/organization.

Iowa Legal Aid has over twenty years of experience in recruiting volunteer attorneys and referring low-income Iowans to the volunteer lawyers projects and pro bono panel. The LITC has 203 volunteer attorneys/accountants who have expressed an interest in taking tax cases. Many of the volunteer attorneys are members of the Iowa State Bar Association Tax Law Section and have a great deal of expertise in the area of taxes.

As mentioned in section 1, intakes are processed by support staff and then assigned to an attorney. Information is gathered by the attorney and the cases are reviewed at a weekly staff meeting. If a case is deemed appropriate for referral, the case is placed by an Iowa Legal Aid Volunteer Lawyers Project referral coordinator located in Des Moines. Sometimes cases are placed directly with a local volunteer attorney by regional office staff. Iowa Legal Aid's referral coordinator tracks all referrals, with the exception of placements made in the Des Moines and Davenport areas. In Des Moines, the Polk County Bar Association Volunteer Lawyers Project accepts cases for placement from Iowa Legal Aid. A separate coordinator tracks these placements. Iowa Legal Aid requests and receives updates periodically for cases placed through the Polk County Bar Association Volunteer Lawyers Project. In Davenport, Iowa Legal Aid's sub-grantee, HELP Legal Assistance, maintains a separate Scott County Pro Bono panel. Referrals to this panel are tracked by the HELP office.

7. Privacy and Confidentiality. Describe steps taken to ensure taxpayer privacy and to maintain the confidentiality of tax information.

As a law firm, Iowa Legal Aid has a duty to maintain client confidentiality. All staff, including support staff, are trained in guarding and protecting client data. Access to our client

database is password protected. Iowa Legal Aid has a Database Administrator who maintains the server's security. Tax files and documents are maintained in a locked filing cabinet or area.

8. Pro Bono Panel. Describe the qualified pro bono representatives to whom taxpayers were referred. Include relevant education and experience of panel members.

Iowa Legal Aid has 203 attorneys/accountants who have expressed interest in taking on tax cases. These individuals have a vast array of experience with tax related issues. These attorneys include past Iowa State Bar Association Tax Law Section Council members, general practice attorneys who do tax work as well as other types of cases, and newer attorneys who are developing areas of practice. Iowa Legal Aid offers case assistance for attorneys taking on areas of law on which they are less familiar.

9. Nominal Fee.

Not applicable.

10. Delivery of Services. Describe the type of assistance given by telephone and the procedures to monitor quality, if applicable.

Because Iowa is a rural state, much of the client contact is handled by telephone. Advice provided is verified in writing or recorded in the client database. Licensed attorneys provide the advice. Managing attorneys periodically review work of attorneys and the Clinic Director also conducts periodic reviews.

11. Miscellaneous. Describe the types of activity performed by the clinic that facilitated accomplishment of the LITC Program mission that are not included elsewhere in your narrative.

Iowa Legal Aid provides assistance and information to other LITC clinics. For instance, Iowa Legal Aid actively participates in ABA LITC and ITIN listserv discussions with other clinics. Iowa Legal Aid also presented at the LITC Grantee Conference in December 2007. Iowa Legal Aid provided materials and insight into structuring a successful pro bono panel.

Recognizing the unique challenges in reaching Iowa's immigrant population, Iowa Legal

Aid has worked to forge collaborations with trusted service providers already working in immigrant communities. Recently Iowa Legal Aid recognized two Sisters from the Mason City area in their work with people who speak English as a second language. These individuals have worked with Iowa Legal Aid to reach Spanish-speaking members of their parishes. The LITC's work with these two individuals helped the clinic to hold one of the most successful community legal education events to date for that service area. This is just one example of how Iowa Legal Aid works with others in the community to market and promote clinic services.

12. Program Goals. Explain whether established goals were met and if goals were not met, the reason why.

A summary of the program's goals and performance was set forth at the beginning of the program narrative. As noted, Iowa Legal Aid had difficulty in meeting its outreach goals for the ESL Outreach and Education portion of the LITC program. Immigration raids and political advertisements with very negative immigration sentiment created a more difficult environment for conducting outreach.

13. Attach copies of the student certification letters issued by IRS Office of Professional Responsibility, if applicable.

Not applicable.

14. Supplemental Issue Form.

Iowa Legal Aid assisted with a total of 217 tax issues in 2007. Many of the non-specified tax issues listed under subsection IV of the Supplementation Issue Form relate to before Iowa Legal Aid instituted its new system to capture data on tax problems or problems that are not easily characterized.

Set forth below are several examples of cases handled by the LITC:

- ★ A woman was referred to a volunteer attorney for assistance because she had been denied dependency exemptions and the earned income tax credit. The father of

the dependents had claimed the children on his taxes. In addition, the case involved an IRS levy of the daughter's bank account which was joint with the client, and a levy of client's account which contained her child support and sole source of income. The case spanned several years and involved appeals. The attorney was able to establish the client's eligibility for the tax credits and dependency exemptions and favorably resolve the case.

- ★ Another taxpayer was referred to a volunteer attorney to help resolve a collection case. This client had earnings on his record attributable to another person using his social security number. The attorney had to reconstruct the client's earning history and try to track down earnings statements from a bankruptcy trustee. The Taxpayer Advocate Service also assisted with this case. The client's debt of almost \$3,000 was eliminated with the client receiving a refund of \$341.40. An additional \$2,000 in state tax debt was also eliminated and a small refund was obtained. The attorney also assisted the client in filing an additional tax return that was past due, which resulted in a small refund.
- ★ A disabled client whose sole source of income is Social Security Disability, was assisted with filing bankruptcy. Her largest debt was approximately \$30,000 in tax debt, that resulted from obligations incurred during the 1990s. Two of the tax obligations had resulted in tax liens being filed. A transcript was obtained in order to determine whether the tax obligations could be discharged in bankruptcy. It was determined that all could, except one smaller obligation. The staff attorney waited until the requisite time had passed in order to discharge all of the tax debt in the bankruptcy. The discharge was received and the attorney is now taking steps to have the tax liens released since the underlying debt has been discharged.

- ★ An elderly taxpayer was assisted with resolving a tax issue stemming from a stock sale in 2002. The taxpayer had not declared this information on her tax return. The IRS assessed the debt without considering the cost basis of the stock. Iowa Legal Aid was able to get stock basis information, prepare several years returns and eliminate more than \$6,500 in debt.

The “total” column on the Supplemental Issue Form is unduplicated issues. The July 1 to December 31 column includes issues that were reported in cases during the first half and remained open in the second half of 2007.

15. Annual Report Form.

Please note that in section I. O. and II. D. Iowa Legal Aid only includes statistical data on consultations or cases closed during the reporting period to ensure that the same tax controversy client or LEP taxpayer is not counted in more than one reporting period.

All ESL controversies are reported separately in Section II. The form does not have a place to indicate ESL cases that were open at the start of the period. In-house the LITC had 6 ESL tax controversies that were opened prior to January 1, 2007. Two cases are still pending at the end of 2007. There were two referrals pending at the end of 2006 with one pending as of December 31, 2007.

It is unclear whether the LITC wanted the number of cases with state matters or number of state matters handled. The number given in I. P. is the number of matters handled.